

IN THE UNITED STATES DISTRICT COURT

CENTER CAPITAL CORPORATION

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Plaintiff

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Case No. JFM 03 CV 400

v.

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STEVEN TIMCHULA, CHARLES THOMAS
AND THE ESTATE OF JAMES BLAKE

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Defendants.

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**CONSENT MOTION TO EXTEND DISCOVERY
DEADLINE AND TO ALTER SCHEDULING ORDER**

Defendant, Steven Timchula and Charles Thomas, by Stephen J. Kleeman, their undersigned attorney, move to extend the discovery deadline and to alter the Scheduling Order and for cause, states as follows:

1. This is an action to collect a deficiency balance from the Defendants arising out of the repossession and sale of certain items of equipment.

2. One of the major items repossessed by the Plaintiff, has only been recently refurbished for a sale but has not yet been sold. This is a major piece of equipment and the deficiency will probably comprise the single largest claim against the Defendants. Hence, unless and until the piece of equipment is sold, the Plaintiff's claim will be undetermined and the Defendants will have no basis to determine if the sale was reasonable.

3. Additionally, counsel for the Defendant is unavailable for depositions on June 11, 2003 and is having difficulty obtaining a clear date in June for a lengthy deposition, due to prior commitments.

4. Plaintiff has only completed its written discovery to the Defendant as of the end of

May. Defendants will have to review this material and determine if they need an expert witness. The current deadline for this is June 4, 2003. Additionally, Defendants were out of town and are just now returning to complete Plaintiff's written discovery.

5. Lastly, both Plaintiff and Defendant consent to the requested extension. Once these numbers are finalized, settlement may be possible so an extension may well avoid a trial.

WHEREFORE for all the foregoing reasons, all parties jointly request a ninety (90) day extension of discovery and that the Scheduling Order be modified accordingly.

STEPHEN J. KLEEMAN, ESQUIRE
Federal Bar # 01040
2 North Charles Street, Suite 320
Baltimore, Maryland 21201
(410) 752-1220

Attorney for Defendants
Steven Timchula and Charles Thomas

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of June, 2003, a copy of the foregoing Consent Motion to Extend Discovery and to Alter Scheduling Order was mailed first-class postage prepaid to J. Preston Turner, 29 West Susquehanna Avenue, Suite 110, Towson, MD 21204.

STEPHEN J. KLEEMAN, ESQUIRE

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**ORDER GRANTING MOTION TO EXTEND DISCOVERY
DEADLINE AND TO ALTER SCHEDULING ORDER**

Upon consideration of the foregoing Consent Motion to Extend Discovery Deadline and to Alter Scheduling Order, good cause having been shown, it is this _____ day of _____, 2003 ***ORDERED*** by the United States District Court for the Northern District of Maryland, that the discovery deadline be and is hereby extended to _____, 2003; and it is further ***ORDERED*** that the Scheduling Order is hereby amended as follows:

Plaintiff's rebuttal Rule 26(a)(2)
disclosures re experts

Rule 26(e)(2) supplementation of
disclosures and responses

Discovery Deadline;
submission of status report

Requests for admissions

Dispositive pretrial motions deadline

DATE

J. Frederick Motz,
United States District Court Judge